

Justin (and all),

I appear to have a whole box full of old Jack Silver files I've inherited, and I'd be happy to make that available to DOJ.

David

From: Lu, Sarah (ENRD) [mailto:Sarah.Lu@usdoj.gov]

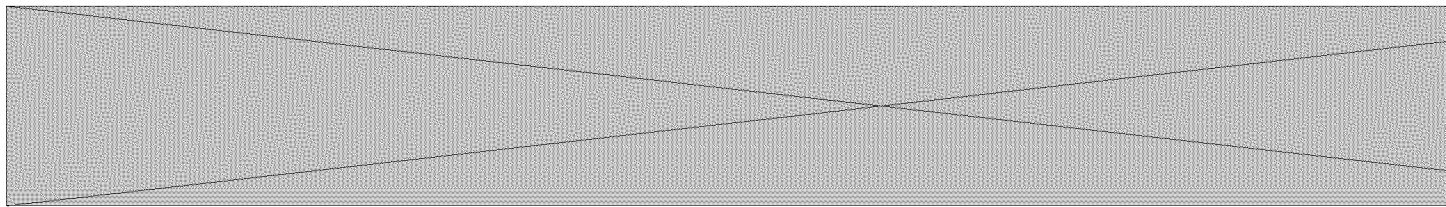
Sent: Thursday, August 01, 2013 10:16 AM

To: justin.smith@usdoj.gov; Woolner, Rhodora (ENRD); Harvey, Judy (ENRD); Williams, Kim (ENRD); Brown, Samuel; Drelich, David; karen.dworkin@usdoj.gov; Friedman, Henry (ENRD); Kermish, Laurie

Subject: RE: REG 09 CWA CITIZEN SUIT COMPLAINTS (3). CA RIVER WATCH V LUNNY, REF. NO. LPS DM # 229307; CA RIVER WATCH V WILLITS, REF. NO. LPS DM # 229500; CA COMMUNITIES V USA WASTE, REF. NO., LPS DM # 229550

California River Watch is the same as NCRW; Jack Silver and Jerry Bernhaut are listed as counsel. Both the Willits and Lunny case are posted on the NCRW [website](#).

We didn't have a Willits case in Concordance, but there was a hit from 2002 on a CMS report in response to a FOIA request for cit suit cases:



The case is too old to pull pleadings from Courtlink, but attached are the documents from DM that I was able to find associated with the case. It looks like the City was specifically asking us to investigate NCRW for unnecessary cit suits, and we noted in our letter to the court that we plan on monitoring NCRW litigation to see if there is a pattern of large attorneys fees and limited relief.

Sarah

From: Smith, Justin (ENRD)

Sent: Wednesday, July 31, 2013 5:56 PM

To: Woolner, Rhodora (ENRD); Harvey, Judy (ENRD); Lu, Sarah (ENRD); Williams, Kim (ENRD); Brown, Samuel; Drelich, David; Dworkin, Karen (ENRD); Friedman, Henry (ENRD); Kermish, Laurie

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Sarah –

Could you or one of the interns take a look and see if California River Watch is different from Northern California River Watch, and what is going on. Is Jack Silver involved with the new group?

Also, I think NCRW has sued Willits before. It's possible Jack Silver has created a new NGO and is suing the same entities again with a new plaintiff group?

J

From: Woolner, Rhodora (ENRD)

Sent: Wednesday, July 31, 2013 5:05 PM

To: Harvey, Judy (ENRD); Lu, Sarah (ENRD); Williams, Kim (ENRD); Brown, Samuel; Drelich, David; Dworkin, Karen (ENRD); Friedman, Henry (ENRD); Kermish, Laurie

Cc: Smith, Justin (ENRD)

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Reviewers:

Please review the attached complaints for any unusual issues. Provide comments to <mailto:judy.harvey@usdoj.gov> and to Sarah Lu <mailto:sarah.lu@usdoj.gov> by COB 08/12/2013.

Cases:

California River Watch v. Lunny Grading

California River Watch v. City of Willits

California Communities Against Toxics v. USA Waste

Thank you,

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"A man's reach should exceed his grasp". Robert Browning

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